

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Michael Danieli, on behalf of Plaintiff,
 himself and those similarly
 situated,

- against -

International Business Machines Defendant.
 Corporation

08 cv 3688 (RWS)

MOTION TO ADMIT COUNSEL
PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the

Southern and Eastern Districts of New York, I, Piper Hoffman a member in good standing of
 the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: James M. Finberg

Firm Name: Altshuler Berzon LLP

Address: 177 Post Street, Suite 300

City/State/Zip: San Francisco, California 94108

Phone Number: (415) 421-7151

Fax Number: (415) 362-8064

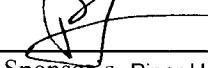
James M. Finberg is a member in good standing of the Bar of the States of
 California

There are no pending disciplinary proceeding against James M. Finberg
 in any State or Federal court.

Dated: May 21, 2008

City, State: New York, NY

Respectfully submitted,


 Sponsor's Piper Hoffman
 SDNY Bar PH 4990

Firm Name: Oуттен & Golden LLP

Address: 3 Park Ave., 29th Floor

City/State/Zip: New York, NY 10016

Phone Number: (212) 245-1000

Fax Number: (212) 977-4005

UNITED STATES DISTRICT
SOUTHERN DISTRICT OF NEW YORK

Michael Danieli, individually and on
 behalf of others similarly situated,

Plaintiff,

08 cv 3688 (RWS)

- against -

International Business Machines Corporation Defendant.

State of New York)
) ss:
 County of New York)

AFFIDAVIT OF
PIPER HOFFMAN
IN SUPPORT OF MOTION
TO ADMIT JAMES M. FINBERG
PRO HAC VICE

Piper Hoffman, being duly sworn, hereby deposes and says as follows:

- I am a partner at Outten & Golden LLP, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit James M. Finberg as counsel pro hac vice to represent Plaintiff in this matter.
- I am a member in good standing of the bar of the State of New York and was admitted to practice law in New York on 2/26/03. I am also admitted to the bars of Massachusetts and D.C. and of the United States District Court for the Southern District of New York, and am in good standing in all of these bars.
- I have known James M. Finberg for several years.
- Mr. Finberg is a partner at Altshuler Berzon LLP in San Francisco, California.
- I have found Mr. Finberg to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
- Accordingly, I am pleased to move the admission of James M. Finberg, pro hac vice.
- I respectfully submit a proposed order granting the admission of James M. Finberg, pro hac vice, which is attached hereto as Exhibit A.

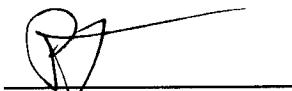
WHEREFORE it is respectfully requested that the motion to admit James M. Finberg, pro hac vice, to represent Plaintiff in the above captioned matter, be granted.

Dated: 05/21/2008

City, State: New York, NY

Notarized:

Respectfully submitted,



Name of Movant: Piper Hoffman

SDNY Bar Code: PH 4990



**THE STATE BAR
OF CALIFORNIA**

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

May 16, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JAMES MICHAEL FINBERG, #114850 was admitted to the practice of law in this state by the Supreme Court of California on December 3, 1984; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in cursive ink.

Kath Lambert
Custodian of Membership Records

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Michael Danieli, on behalf of himself and Plaintiff,
 those similarly situated,

08 cv 3688 (RW)

- against -
 International Business Machines Corporation Defendant.

**ORDER FOR ADMISSION
 PRO HAC VICE
 ON WRITTEN MOTION**

Upon the motion of Piper Hoffman attorney for Michael Danieli, on behalf of himself and those similarly situated,
 and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: James M. Finberg
 Firm Name: Altshuler Berzon LLP
 Address: 177 Post Street, Suite 300
 City/State/Zip: San Francisco, CA 94108
 Telephone/Fax: (415) 421-7151
 Email Address: jfinberg@altshulerberzon.com

is admitted to practice pro hac vice as counsel for Michael Danieli, on behalf of himself and in the above
 those similarly situated, captioned case in the United States District Court for the Southern District of New York. All attorneys
 appearing before this Court are subject to the Local Rules of this Court, including the Rules governing
 discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall
 immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice
 fee to the Clerk of Court.

Dated:
 City, State:

United States District/Magistrate Judge